

REMARKS

Claims 1 and 20-34 are currently pending in this application. Claims 2-19 are cancelled.

Claims 1 and 20-34 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No. 6,717,853.

The Office Action states that “[a]lthough the conflicting claims are not identical, they are not patentably distinct from each other because the elements recited in claims 1, 20-34 of the present application are art recognize equivalent with claims 1-19 of U.S. Patent No. 6,717,853.” The Applicant respectfully disagrees and suggests that the claims are patentably distinct. However, since the present application is a continuation of the ‘853 patent and there is a common assignee, i.e. Micron Technology, Inc., a terminal disclaimer is being filed contemporaneous with this response to expedite the prosecution and allowance of this case. Therefore, the rejection of claims 1 and 20-34 should be respectfully withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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